

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA : **FINAL ORDER OF FORFEITURE**
:
-v.- : 21 Cr. 696 (RA)
:
LAWRENCE EDWARD BARNARD, :
a/k/a "Larson Paine" :
:
Defendant. :
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WHEREAS, on or about March 7, 2022, this Court entered a Preliminary Order of Forfeiture as to Substitute Assets (the "Substitute Assets Order") (D.E. 22), which ordered the forfeiture to the United States of all right, title and interest of LAWRENCE EDWARD BARNARD, a/k/a "Larson Paine," (the "Defendant") in the following property:

- i. The real property located at 606 Wilcox Avenue, Unit 8, Los Angeles, CA 90004;

(the "Substitute Asset");

WHEREAS, the Substitute Assets Order directed the United States to publish, for at least thirty (30) consecutive days, notice of the Substitute Assets Order, notice of the United States' intent to dispose of the Substitute Asset-, and the requirement that any person asserting a legal interest in the Substitute Asset must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). Pursuant to Section 853(n), the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Substitute Asset and as a substitute for published notice as to those persons so notified;

WHEREAS, the provisions of Title 21, United State Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of

the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the Government's intent to dispose of the Substitute Asset before the United States can have clear title to the Substitute Asset;

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the Substitute Asset was posted on an official government internet site (www.forfeiture.gov) beginning on April 9, 2022, for thirty (30) consecutive days, through May 8, 2022, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on June 24, 2022 (D.E. 32);

WHEREAS, between June 24, 2022 and July 12, 2022, notice of the Substitute Assets Order was sent by certified mail, to:

- a. Los Angeles County Assessor, West District, Kenneth Hahn Hall of Administration, 500 W. Temple Street, Room 225, Los Angeles, CA 90012;
- b. Lawrence E. Barnard – 54523-509, USP Lompoc, U.S. Penitentiary, 3901 Klein Blvd, Lompoc, CA 93436;
- c. Lawrence E. Barnard, As Trustee of The Lawrence E. Barnard Revocable Trust, 606 Wilcox Avenue, Unit 8, Los Angeles, CA 90004;
- d. Lawrence Edward Barnard, Trustee, The Lawrence E. Barnard Revocable Trust-2015, Dated March, 2, 2015, [REDACTED], San Marino, CA 91108

(the "Noticed Parties");

WHEREAS, the Defendant and the Noticed Parties were the only persons and/or entities known by the Government to have a potential interest the Substitute Asset;

WHEREAS, on or about June 17, 2022, Mei Mei Chen-Barnard filed a petition for a hearing to adjudicate the validity of her alleged interest in the Substitute Asset (the “Chen-Barnard Petition”) (D.E.29);

WHEREAS, on or about June 28, 2022, the Defendant filed an ancillary petition for remission or mitigation of forfeiture of the Substitute Asset (D.E. 33), and on or about July 7, 2022 filed a second ancillary petition for remission or mitigation of forfeiture (D.E. 34) (D.E. 33 & D.E. 34, together, the “Defendant Petitions”);

WHEREAS, on or about August 8, 2022, the Government moved to dismiss the Chen-Barnard Petition and the Defendant Petitions (D.E. 39);

WHEREAS, on or about September 21, 2022, the Government filed a notice of lis pendens of the Substitute Asset with the Los Angeles County Recorder’s Office ((D.E. 42), as identified by the following legal description:

Parcel 1.

An undivided 1/36 interest in and to Lot 1 of Tract No. 30444, in the city of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 830, Pages 88 to 89, inclusive, of Maps, in the office of the County Recorder of said county.

Except therefrom each and all of the units shown and defined on the Condominium Plan recorded August 1, 1973, as instrument No, 3301, in Book M-4433, Pages 527 to 543, inclusive, of Official Records of said County.

Also Except therefrom easements for vehicular parking purposes over those portions of the common area designated as parking spaces 1S to 85S ,

inclusive, on said condominium Plan.

Parcel 2.

Unit 8 as shown and defined on the Condominium Plan referred to above.

Parcel 3.

An easement for vehicular parking purposes appurtenant to said Unit over the following portion or portions of the common area as designated on said condominium Plan: 39s & 40s,

(the "Legal Description");

WHEREAS, on or about February 6, 2023, the Court entered a Memorandum Opinion and Order dismissing the Chen-Barnard Petition and the Defendant Petitions (the "February Order") (D.E. 44);

WHEREAS, as of February 6, 2023, pursuant to the Substitute Assets Order and the February Order, the United States was the only entity to hold a legal interest in the Substitute Asset;

WHEREAS, on or about February 16, 2023, the Defendant died while incarcerated at USP Lompoc;

WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2);

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NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Substitute Asset as identified by the Legal Description is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.
2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the Substitute Asset.
3. The United States Marshals Service (or its designee) shall take possession of the Substitute Asset and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York
March 20, 2023

SO ORDERED:



HONORABLE RONNIE ABRAMS
UNITED STATES DISTRICT JUDGE